IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

In re Application of: Mathilde Benveniste

Docket No.:

2000-0611 P (Old 2000-0611E)

Serial No.:

10/032,507

Group Art Unit:

2176

Filed:

January 2, 2002

Examiner:

TBA

Title: Random Method Access Methods with Backoff Adaptation to Traffic

COMMISSIONER FOR PATENTS WASHINGTON, D. C. 20231

SIR:

DECLARATION AND POWER OF ATTORNEY UNDER 37 CFR § 1.47(b), 1.63, 1.64(b)

- 1. The undersigned is a patent attorney employed by AT&T Corp.
- 2. On information and belief, Mathilde Benveniste is the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention in the above-referenced patent application. On information and belief, Ms. Benveniste understands the contents of the specification and the claims in the above-referenced patent application.
- 3. On information and belief, the application claims the benefit under 35 U.S.C. 119(e) of the following United States provisional applications:

U.S. Provisional Serial Number	Filing Date
60/258,885	01/02/2001
60/261,165	01/16/2001
60/264,727	01/30/2001
60/267,439	02/09/2001
60/270,862	02/26/2001
60/271,731	02/28/2001
60/272.786	03/05/2001

- 4. On information and belief, the application claims priority under 35 U.S.C. 120 of the following U.S. patent application: U.S. Application No. 09/985,257 filed November 2, 2001, entitled Tiered Contention Multiple Access (TCMAS): A Method for Priority Based Shared Channel Access.
- 5. The undersigned acknowledges the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.
- 6. On information and belief, Ms. Benveniste was mailed to her work address a Declaration and Power of Attorney document and Assignment document on January 8, 2002 by Attorney Alfred G. Steinmetz in the parent application. A copy of the letter and documents, including a copy of the New Jersey Express Service mailing label, are attached as Exhibit A. On information and belief, Ms. Benveniste was a full time employee of AT&T at this time.
- 7. On information and belief, Ms. Benveniste was informed on or about late January 2002, that she would no longer be employed with AT&T in the midst of a reduction in force event.
- 8. On information and belief, a note in the parent file indicates that Felicia Adadevoh, legal secretary, contacted Ms. Benveniste by phone on or about Feburary 25, 2002, to inquire about whether she had executed the documents. On information and belief, Ms. Benveniste informed Ms. Adadevoh that she was too busy to sign the documents. This note is attached hereto as Exhibit B.
- 9. On or about March 6, 2002, the undersigned left multiple phone and e-mail messages for Ms. Benveniste regarding this application and the parent application, in addition to other patent matters. Two e-mails evidencing attempts to contact Ms. Benveniste are attached as Exhibit C.
- 10. On March 13, 2002, the undersigned physically went to Ms. Benveniste's work office and brought a new set of Declaration, Power of Attorney, and Assignment documents in this and the parent application attached hereto as Exhibit D. Ms. Benveniste was not present in her office. The undersigned was informed by co-workers that Ms. Benveniste had not been physically present at work regularly.
- 11. On March 18, 2002, an e-mail conversation took place between the undersigned and Dr. Robert Calderbank, Ms. Benveniste's supervisor and an AT&T vice president. The undersigned expressed a lack of success at reaching Ms. Benveniste. Dr. Calderbank indicated that Ms. Benveniste had generally been non-cooperative with work matters. Two e-mails evidencing this conversation are attached as Exhibit E.

- 12. On information and belief, Ms. Benveniste's last known address is 76 Harding Drive, South Orange, NJ 07079 USA.
- 13. On information and belief, as an employee of AT&T, Ms. Benveniste was contractually obligated to assign all her rights to AT&T for inventions that are made in the ordinary course of her employment. On information and belief, the above-referenced patent application is one such invention. Because AT&T has a sufficient proprietary interest in the application, it is entitled to make an application for patent on its own behalf. The Petition and Declaration under 37 C.F.R. § 1.47 are necessary to preserve the rights of AT&T and to prevent irreparable damage in losing the rights afforded by the above-referenced patent application.
- 14. In light of the above facts, the undersigned respectfully requests that the Declaration executed by the undersigned on behalf of AT&T be accepted as fulfilling all statutory requirements. The undersigned is authorized to sign this Declaration under 37 C.F.R. § 1.47(b) on behalf of AT&T.
- 15. The undersigned hereby declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
- 16. <u>Power of Attorney.</u> The undersigned hereby appoints the registered practitioners associated with Customer No. 26,652 and the registered practitioners Christopher Hughes, Reg. No. 26,914, and John Hoel, Reg. No. 26,279, of Morgan and Finnegan, LLP, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.
- 17. <u>Correspondence Address.</u> Please address all correspondence to the address associated with Customer No. 26,652 and direct all telephone calls to Mr. John Hoel at Morgan and Finnegan, LLP, at (202) 857-8011.

Any questions in regard to this Declaration may be directed to the undersigned at 19. (908) 221-8930.

Respectfully submitted,

Christine M. Szwerc

Reg. No. 43,177

Attorney for Applicants

Date: 4/17/02

AT&T Corp. 200 Laurel Ave P.O. Box 4110 Middletown, NJ 07748



1.ew Jersey Express Service 00076738 (2-95)

Utilization Of This Form Designates Expedited Delivery And/Or Special Handling.

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Please print the following information





3002 3255B Room #_ (206) Location Code Phone #_ Room #_ Date_ 2000-0661 matistal de Gentriste Street Address 295 N. May I. A.R. G11112000 000 12919 DESCRIPTION OF ITEM: Name FCALLA Organization Code_ PICK UP ERDIM: **DELIVER TO:** FML Code_ Name_

GNATURE OF RECIPIENT 5763 761-0988 lochan

Park

2

Full Street Address_

(973)

Phone #_

NJ Express Mail MUST be processed in IntraOffice Envelopes ORIGINATOR

Retention Requirement Receiver 2 months



EXHIBIT B

2000-0611

Papers out 1/8/02

Mathilde Benveniste

2/5-Felexic Collaborators

a priority makers



Alfred G. Steinmetz
Senior Attorney
Intellectual Property - Law



295 N. Maple Avenue – Room 3245G3 Basking Ridge, New Jersey 07920

Telephone: 908-221-5462 Fax: 908-221-5783

E-mail: asteinmetz@lga.att.com

January 8, 2002

Mathilde Benveniste AT&T Corp. 180 Park Ave. – Rm. 3D02 Florham Park, NJ 07932

RE: Docket No. 2000-0611

Tiered Contention Multiple Access (TCMA)L A Method For Priority-Based

Shared Channel Access

Enclosed is a copy of the above-identified patent application. Also enclosed are the formal documents you must sign in order to complete the patent filing requirements.

After reviewing the application, please read both the Declaration and Power of Attorney and the Assignment and Agreement, then sign and date them—in blue ink as your name is typed—on the same date at the appropriate place on each document in the presence of a Notary Public. Note that your signature on the Assignment is the only one that must be notarized. AT&T will reimburse you for reasonable notary fees incurred; just submit the bill with your receipts with the signed documents. Please return the signed documents to me as soon as possible, using the enclosed self-addressed envelope. Please try to expedite getting the formal papers back to us as we are late in getting them to the Patent Office.

Please be advised that we share a legal obligation to advise the U.S. Patent and Trademark Office of the existence of any and all relevant prior art documents, including journal articles, patents, conference proceedings, and any other published items, as well as any past commercial activity that a Patent Examiner would consider material to examining your patent application for purposes of novelty and non-obviousness. If you are aware of any such materials that may have a bearing on your patent application, please inform me immediately.

The copy of the application is yours to keep for your files. Please remember that this is proprietary to AT&T and should be treated in accordance with company policy.

Thank you for your cooperation.

Sincerely,

red G. Steinnetz/tad Alfred G. Steinmetz Senior Attorney

Encs.

As stated

46.5	`		PTO/SB/01 MOD	DIFIED BY A	T&T COR
DECLARATION FOR	Attorney Docket Nu	mber 2000-0011			
UTILITY OR DESIGN	First Named Invento	Mathilde Benven	iste		
PATENT APPLICATION		COMPLETE IF KNOWI	N		
☐ Declaration ☒ Declaration	Application Number	09/985257			
Submitted OR O submitted after with Initial Filing Filing	Filing Date	11/02/2001			
	Group Art Unit				
PATER 2 2 2002 20	Examiner Name				
As a below named inventor, Mereby declare that					
My residence, mailing address, and citizenship as I believe I am the original, first and sole inventor (if the subject matter which is claimed and for which a particle of the content on Multiple	are as stated below next to my na f only one name is listed below) o patent is sought on the invention of	r an original, first and joint inventor (i entitled:			
					[
	(Title of the inventi	on)			
the specification of which		<i>,</i>			
is attached hereto					
OR was filed on 11/02/2001 as United States	os Application Number or PCT Inte	rnational			
Application Number 09/985257 and was	• •				
I hereby state that I have reviewed and understand specifically referred to above. I acknowledge the duty to disclose information which continuation-in-part applications, material information international filing date of the continuation-in-part applications.	I the contents of the above identifi h is material to patentability as defi on which became available between	ied specification, including the claims ined in Title 37 Code of Federal Regu	ılations,§ 1.56, i	including fo	
I hereby claim foreign priority benefits under 35 U.S. of any PCT international application which designat below, by checking the box, any foreign application of an application on which priority is claimed.	ated at least one country other that	an the United States of America, liste	ed below and h	nave also id	dentified
Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not	Certified Attach	
		(MM/DD/YYYY)	Claimed	YES	NO
Additional foreign application numbers are liste	ed on a supplemental priority data	sheet PTO/SB/02B attached hereto		<u> </u>	
I hereby claim the benefit under 35 U.S.C. 119(e) of	f any United States provisional app	plication(s) below.			
	Filing Date(MM/DD/YYYY)				
60/245186	11/03/2000	Additional provisional application			

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, D.C. 20231



Attorney Docket Number: 2000-0611 DECLARATION - Utility or Design Patent Application

below and, insofar as	enefit under 35 U.S.C. 120 of any United States is the subject matter of each of the claims of this hof 35 U.S.C. 112, I acknowledge the driving to be of the prior application and the fational or PC.	application is not o disclose informatio International filing	disclosed in the prior Ur	nited States or PC	CT International ap	plication in the manner provided
	Application or PCT Parent	Parent Fil			Parent Pate	
	114111001	(10110111111111111111111111111111111111	•		(if appli	
	PART. S					
Additional U.S	i. or PCT International application numbers are lis	ted on a suppleme	ental priority data sheet	PTO/SB/02B atta	ched hereto.	
As a named inventormake alterations are	or, I hereby appoint the following registered amendments therein, to receive the pate	ent, and to trans	act all business in the	Patent and Tr	vocation, to pros ademark Office	secute this application, to connected therewith:
Customer Nu	Number Place Customer Number Bar Code Label here					
OR						
Registered p	ractitioner(s) name/registration number listed belo	ow .				
	Name	Registration Number		Name		Registration Number
CANAVAN, Rol	bert T.	37592	CONOVER, Mi	chele L.		34962
DELACRUZ, Ce	edric G.	36498	DWORETSKY,	Samuel H.		27873
ISAACSON, Th	homas M.	44166	LEE, Benjam	in S.		42787
LEVY, Robert	t B.	28234	MCGAHAN, Su	san E.		35948
MONKA, Gary	н.	35290	NAVON, Jeff	rey M.		32711
Corp.) attached	he following additional registered practitioner(s) r d hereto with full power of substitution and revoca siness in the Patent and Trademark Office connec	tion, to prosecute	stered Practitioner Infor this application, to mak	mation (Suppleme e alterations and a	ental Sheet) (PTO/ amendments there	SB/02C modified by AT&T in, to receive the patent, and to
_	n correspondence to:	Customer Nu	umber - 26652		or 🛛 Corre	espondence address below
NAME S	amuel H. Dworetsky					
	T&T CORP. P.O. Box 4110					
	iddletown	ST.	ATE New Jei	rsey	ZIP CODE	07748-4110
COUNTRY United States of America FAX 732-368-6932 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					be true; and further that	
Name of Sole of	or First Inventor	│	tition has been fi	led for this u	nsigned inve	ntor
Name	Mathilde Benveniste					
Signature					Date	
Citizenship	United States					
Address (line 1)	76 Harding Drive					
Address (line 2)	South Orange		· · · · · · · · · · · · · · · · · · ·			
Address (line 3)	Essex County					
Address (line 4)	New Jersey					
Address (line 5)	USA					
Zip Code	07079					
Additional Inv	ventors are being named on the seperate	ly numbered she	eets attached hereto			
END TO: Commissi	oner for Patents, Box Patent Applications, 1	Machington DC	20221			



DECLARATIO)N S	Suppleme	ntal Pr	riority Data S	heet		
Additional Foreign Applicatio	ns:		 				
Prior Foreign Application Number(s)		Country		Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certific Attac	ed Copy ched? NO
					00000000000	00000000000	
Additional Provisional applica							
Application !	Number(s)			Filing Date(MM/I	DD/YYYY)		
Additional U.S. applications:				•			
U.S. Parent Application or PCT Number	Parent	Parent Fil (MM/DD/		1	Patent Numbe applicable)	r	

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, DC 20231



DECLARATION		Registered Practition Information (Supplemental She	
Name	Registration Number	Name	Registration Number
RESTAINO, Thomas A. SZWERC, Christine M.	33444 43177	STEINMETZ, Alfred G.	22971
		·	
		•	
		·	



ASSIGNMENT AND AGREEMENT

For value received, each of the undersigned, Mathilde Benveniste of South Orange in the County of Essex and State of New Jersey, hereby sells, assigns and transfers to AT&T Corp., a corporation of the State of New York, having an office at 32 Avenue of the Americas, New York, New York 10013-2412, United States of America, and its successors, assignees and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to

Tiered Contention Multiple Access (TCMA): A Method For Priority-Based Shared Channel Access

described in an application for Letters Patent for the United States of America,

for which an application for a United States Patent was executed by each of the undersigned of even date herewith or
\boxtimes for which an application for a United States Patent was filed on $\underline{11/02/2001}$ Application Number $\underline{09/985257}$
\boxtimes and based on our prior provisional application for a United States Patent filed on $\underline{11/03/2000}$ Application Number $\underline{60/245186}$

and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and the undersigned also concurrently hereby sell, assign and transfer to AT&T Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

The undersigned authorize AT&T Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from the undersigned, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

The undersigned hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of AT&T Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

The undersigned request that any and all patents for said inventions be issued to AT&T Corp. in the United States and in all countries foreign to the United States, or to such nominees as AT&T Corp. may designate.

The undersigned agree that, when requested, the undersigned shall, without charge to AT&T Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Mathi	lde Benveniste
Date:	
United States of America)
State of) ss.:
County of)
On this day of Benveniste, to me known to be the instrument, and acknowledged execution	,before me personally came Mathilde individual described in and who executed the foregoing of the same.
	Notary Public
AT&T CODD	
AT&T CORP. P.O. Box 4110	

Middletown, New Jersey 07748-4110

Szwerc, Christine M - LGA

Szwerc, Christine M - LGA From:

Wednesday, March 06, 2002 7:19 M Sent:

Benveniste, Mathilde - ALRSC To:

Cc: Szwerc, Christine M - LGA

Subject: 2001-0357, A, B, C and D

2001-0357 TCMA With Contention Resolution Using Backoff 2001-0357A HCF Access and Overlapped BSS Mitigation

2001-0357B HCF Access Mechanism

2001-0357C Neighborhood Capture In CSMA/CA WLANs

2001-0357D SHIELD: Protecting High Priority Channel Access Attempts

Hi Mathilde:

I've been assigned your cases given Al Steinmetz's retirement. I have a few quick questions about the above provisional applications and would like to call you tomorrow.

APR 2 2 2002

EXHIBIT

Regards, Christine

Christine M. Szwerc

Szwerc, Christine M - LGA

From:

Szwerc, Christine M - LGA

Sent:

Wednesday, March 13, 2002 5:47 PM

To:

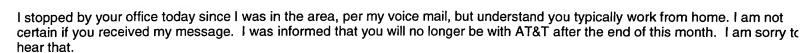
Benveniste, Mathilde - ALRSC

Cc:

Szwerc, Christine M - LGA

Subject: Patent Matters

Hi Mathilde:



I do have a few papers for you to sign, else the patent applications that you have worked on will go abandoned. In addition, I wan to touch base with you on the outstanding provisionals and what your thoughts are with regard to them. There is a procedure for getting you a partial award if you help us file an application after you are no longer an employee that we can discuss.

Please call me so that we can discuss these matters. I could really use the help.

Regards, Christine

Christine M. Szwerc

Szwerc, Christine M - LGA

From: Debra Gardner on behalf of Gardner, Debra R - ALRSC

Sent: Thursday, March 14, 2002 8:12 AM

To: Szwerc, Christine M - LGA

Subject: RE: Matilde Benveniste

Hi Christine,

Mathilde had a work line at home don't know if it has been turned off, in any case both numbers are listed below:

973-761-0988 (Work) 973-761-6105 (Home)

Let me know if you need any further assistance.

Debra

----Original Message----

From: Szwerc, Christine M - LGA [mailto:szwerc@att.com]

Sent: Wednesday, March 13, 2002 4:35 PM

To: Gardner, Debra R - ALRSC **Cc:** Szwerc, Christine M - LGA **Subject:** Matilde Benveniste

Hi Debra:

I'm Christine Szwerc, a patent attorney over at Basking Ridge. I was in your office (Building 2) today looking for Matilde Benveniste, but understand she was FMPed and is working from home most of the time. She isn't returning my calls on her work v-mail and I really need to get a hold of her to sign some legal documents for some patent applications. I was wondering if I could get her home phone number and see if I can reach her there. Chris Rice suggested you would have it.

Thanks, Christine

Christine M. Szwerc



1-	4		PTO/SB/01 MODIFIED BY AT&T COF
DECLARATION FOR	Attorney Docket No	umber 2000-0011	
UTILITY OR DESIGN	First Named Invent	or Mathilde B	enveniste
PATENT APPLICATION		COMPLETE IF K	NOWN
☐ Declaration ☑ Declaration		09/985257	
Submitted OR P submitted a with Initial Filing	fter Filing Date	11/02/2001	
Filing (APR 2 2 2002 8)	Group Art Unit	2661	EXHIBIT
PART	Examiner Name		
As a below named inventor, I hereby declare the	nat:		
My residence, mailing address, and citizenship I believe I am the original, first and sole inventor (the subject matter which is claimed and for which a Tiered Contention Multiple	(if only one name is listed below) a patent is sought on the invention	or an original, first and joint ir entitled:	
			<u> </u>
the specification of which	(Title of the inven	tion)	
			÷
is attached hereto			
OR was filed on 11/02/2001 as United State	tes Application Number of BCT Int	cornetional	
Application Number 09/985257 and wa			* .
I hereby state that I have reviewed and understan specifically referred to above. I acknowledge the duty to disclose information which continuation-in-part applications, material information international filing date of the continuation-in-part at the hereby claim foreign priority benefits under 35 U. of any PCT international application which design below, by checking the box, any foreign application	ch is material to patentability as de on which became available between pplication. S.C. 119(a)-(d) or (f), or 365(b) of lated at least one country other the country of t	efined in Title 37 Code of Fede en the filing date of the prior a any foreign application(s) for	patent or inventor's certificate, or § 365(a
of an application on which priority is claimed.			97
Prior Foreign Application Number(s)	Country	Foreign F Date (MM/DD/Y	Not Attached?
Additional foreign application numbers are lis			l hereto
I hereby claim the benefit under 35 U.S.C. 119(e) of		pplication(s) below.	
Application Number(s)	Filing Date(MM/DD/YYYY)		
60/245186	11/03/2000	Additional provisional supplemental priority	application numbers are listed on a data sheet PTO/SB/02B attached hereto

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, D.C. 20231



DECLARATION - Utility or Design Patent Application

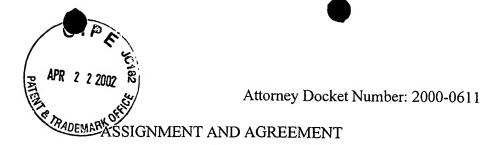
U.S. Pare	ent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)				tent Number olicable)	
Additional I	J.S. or PCT International application number	rs are listed on a suppleme	ental priority data sheet PTO/	SB/02B attach	ed hereto		
As a named inve	entor, I hereby appoint the following red	gistered practitioner(s)	with full power of substitu	tion and revo	ocation to n	rosecute this a	pplication, to
	s and amendments therein, to receive t			tent and Trac	demark Offic	ce connected t	herewith:
Customer	Number 26652	Place Customer Number Bar Code Label here					
OR		<u> </u>					
Registere	d practitioner(s) name/registration number lis	sted below					
	Name	Registration		Name	- ,		Registration
CANAVAN, R	Robert T.	Number 37592	CONOVER, Miche	alo I			Number
DELACRUZ,		36498	DWORETSKY, Sar				34962
ISAACSON,	Thomas M.	44166	LEE, Benjamin				42787
LEVY, Robe	ert B.	28234	MCGAHAN, Susar				35948
MONKA, Gar	у н.	35290	RESTAINO, Thor	mas A.			33444
transact all t Direct all phor	hed hereto with full power of substitution and business in the Patent and Trademark Office ne inquiries to: Szwerc, Chr en correspondence to:	connected therewith.	this application, to make alte	rations and am	nendments the	O/SB/02C modi erein, to receive	the patent, and
Direct all writte	ned nereto with full power of substitution and business in the Patent and Trademark Office ne inquiries to: Szwerc, Chr	istine M. 908-	this application, to make alte	rations and arr	endments the	O/SB/02C modi erein, to receive	the patent, and
transact all the Direct all phore Direct all writted Market Custon	ned nereto with full power of substitution and business in the Patent and Trademark Office ne inquiries to: Szwerc, Chr en correspondence to:	istine M. 908-	this application, to make alte	rations and am	endments the	erein, to receive	the patent, and
transact all transact all transact all transact all phore discourse transact all tr	ned nereto with full power of substitution and business in the Patent and Trademark Office ne inquiries to: Szwerc, Chr en correspondence to: Owner Number or Bar Code Label Description Descri	connected therewith. istine M. 908- Customer Nu	this application, to make alte	rations and arr	endments the	erein, to receive	the patent, and
transact all transact all transact all transact all transact all phore described by the control of the control	en correspondence to: omer Number or Bar Code Label Samuel H. Dworetsky AT&T CORP. P.O. Box 41 Middletown	Customer Nu	this application, to make alte	rations and am	endments the	erein, to receive	the patent, and
Direct all writted ADDRESS CITY COUNTRY	en correspondence to: omer Number or Bar Code Label Samuel H. Dworetsky AT&T CORP. P.O. Box 41 Middletown United States of Americ	Customer Nu	this application, to make alte - 221 - 8930 Jumber - 26652 ATE New Jerse	y ;	or C	orrespondence a	address below
Direct all writted and a control of the control of	en correspondence to: en correspondence to: en correspondence to: ener Number or Bar Code Label Samuel H. Dworetsky AT&T CORP. P.O. Box 41. Middletown United States of Americ at all statements made herein of my own known or ere made with the knowledge that willful falstements may jeopardize the validity of the all	Customer Nu Customer Nu Customer Nu Customer Nu STA Ca Wledge are true and that a	this application, to make alte - 221 - 8930 Limber - 26652 ATE New Jerse:	y ;	or Co	orrespondence a	address below 4110 8-6932
Direct all writted and a control of the control of	nee nereto with full power of substitution and business in the Patent and Trademark Office ne inquiries to: Szwerc, Chr en correspondence to: Owner Number or Bar Code Label	Customer Nu Customer Nu Customer Nu Customer Nu Customer Nu Ca Wedge are true and that a e statements and the like e poplication or any patent iss	this application, to make alte - 221 - 8930 Limber - 26652 ATE New Jerse:	Y ;	or Concept Con	orrespondence a 07748 - 732 - 36 d to be true; and under 18 U.S.C	address below 4110 8-6932
Direct all writted and control of the control of th	en correspondence to: omer Number or Bar Code Label Samuel H. Dworetsky AT&T CORP. P.O. Box 41. Middletown United States of Americ at all statements made herein of my own known are made with the knowledge that willful false tements may jeopardize the validity of the all or First Inventor	Customer Nu Customer Nu Customer Nu Customer Nu Customer Nu Ca Wedge are true and that a e statements and the like e poplication or any patent iss	this application, to make alte - 221 - 8930 Limber - 26652 ATE New Jerse: All statements made on inform so made are punishable by fisued thereon.	Y ;	or Concept Con	orrespondence a 07748 - 732 - 36 d to be true; and under 18 U.S.C	address below 4110 8-6932
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Direct all phor Direct all writte Custo NAME ADDRESS CITY COUNTRY hereby declare that hese statements we such willful false statements where the country of the country	en correspondence to: omer Number or Bar Code Label Samuel H. Dworetsky AT&T CORP. P.O. Box 41. Middletown United States of Americ t all statements made herein of my own known en emade with the knowledge that willful false tements may jeopardize the validity of the approximate the correspondence of th	Customer Nu Customer Nu Customer Nu Customer Nu Customer Nu Ca Wedge are true and that a e statements and the like e poplication or any patent iss	this application, to make alte - 221 - 8930 Limber - 26652 ATE New Jerse: All statements made on inform so made are punishable by fisued thereon.	Y ;	or Co	orrespondence a 07748 - 732 - 36 d to be true; and under 18 U.S.C	address below 4110 8-6932
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Direct all phor Direct all writte Custe NAME ADDRESS CITY COUNTRY hereby declare tha hese statements we such willful false state Name of Sole Name Signature Citizenship	ment are to with full power of substitution and business in the Patent and Trademark Office the inquiries to: Szwerc, Chrome inquiries to: Szwerc, Chromer Number or Bar Code Label Samuel H. Dworetsky AT&T CORP. P.O. Box 41. Middletown United States of Americal tall statements made herein of my own known and with the knowledge that willful fals tements may jeopardize the validity of the and the corfirm of the properties o	Customer Nu Customer Nu Customer Nu Customer Nu Customer Nu Ca Wedge are true and that a e statements and the like e poplication or any patent iss	this application, to make alte - 221 - 8930 Limber - 26652 ATE New Jerse: All statements made on inform so made are punishable by fisued thereon.	Y ;	or Co	orrespondence a 07748 - 732 - 36 d to be true; and under 18 U.S.C	address below 4110 8-6932
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DECLARATION -- Supplemental Priority Data Sheet

Prior Foreign Application Number(s)	Countr	у	Foreign Filing Date	Priority	Certifie	ed Copy ched?
Number(S)			(MM/DD/YYYY)	Not Claimed	YES	NO
,						
Additional Provisional application Application Num			Filing Date(MM/D	D/YYYY)		·
60/25454	 1		12/12/20	00		
60/25633			12/19/20			
60/25798	3		12/27/20			
60/27874	1		03/27/20	01		
Additional U.S. applications:		· ·				
U.S. Parent Application or PCT Pare Number		nt Filing Date ///DD/YYYY)		Patent Numbe	er	

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, DC 20231



For value received, each of the undersigned, Mathilde Benveniste of South Orange in the County of Essex and State of New Jersey, hereby sells, assigns and transfers to AT&T Corp., a corporation of the State of New York, having an office at 32 Avenue of the Americas, New York, New York 10013-2412, United States of America, and its successors, assignees and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to

Tiered Contention Multiple Access (TCMA): A Method For Priority-Based Shared Channel Access

described in an application for Letters Patent for the United States of America,
for which an application for a United States Patent was executed by each of the undersigned of even date herewith or
\bigcirc for which an application for a United States Patent was filed on $\boxed{11/02/2001}$ Application Number $\boxed{09/985257}$
□ and based on our prior provisional applications for United States Patents filed as Application Numbers 60/245,186; 60/249,254; 60/254,544; 60/256,337; 60/257,983 and 60/278,744 filed Nov. 3, 2000; Nov. 17, 2000; Dec. 12, 2000; Dec. 19, 2000; Dec. 27, 2000; and March 27, 2001, respectively;

and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and the undersigned also concurrently hereby sell, assign and transfer to AT&T Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

The undersigned authorize AT&T Corp. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from the undersigned, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

The undersigned hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of AT&T Corp. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

The undersigned request that any and all patents for said inventions be issued to AT&T Corp. in the United States and in all countries foreign to the United States, or to such nominees as AT&T Corp. may designate.

The undersigned agree that, when requested, the undersigned shall, without charge to AT&T Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Mathi	lde Benveniste
Date:	
United States of America)
State of) ss.:
County of)
On this day of Benveniste, to me known to be the instrument, and acknowledged execution	before me personally came Mathilde individual described in and who executed the foregoing of the same.
	Notary Public
AT&T CORP.	
P.O. Box 4110	

Middletown, New Jersey 07748-4110

				PTO/SB/01 MOI	DIFIED RY AT	rat coi
DECLARATION FOR		Attorney Docket Number	2000-0611 P		JANES STAT	41.00
- UTILITY OR DE		First Named Inventor	Mathilde Benver	niste		
PATENT APPLIC	ATION	COMPLETE IF KNOWN				
	Declaration	Application Number	10/032507		· · · · · · · · · · · · · · · · · · ·	
Submitted OR with Initial	submitted after	Filing Date	01/02/2002			
Filing R 4PR	23. 6	Group Art Unit	2635			
PATENT	22002 (8)	Examiner Name	TBA			
3.	CARICULA					
As a below named inventor, I here	eby declare that:					
My residence, mailing address, an I believe I am the original, first and the subject matter which is claimed a	sole inventor (if only	one name is listed below) or an origin	al, first and joint inventor ((if plural names	are listed b	elow) c
Random	Medium Acces	s Methods With Backoff	Adaptation To T	raffic		
						Ì
the specification of which		(Title of the invention)				
is attached hereto						
OR						
	as United States Apr	lication Number or PCT International				
Application Number 10/032						
I hereby state that I have reviewed a specifically referred to above. I acknowledge the duty to disclose in	and understand the c formation which is m terial information whic	contents of the above identified specifications at the contents of the above identified in Titles at the filling the contents of the filling the filling the contents of the c	e 37 Code of Federal Regi	ulations & 1.56	including for	
I hereby claim foreign priority benefit of any PCT international application	ts under 35 U.S.C. 11 which designated at eigh application for pa	19(a)-(d) or (f), or 365(b) of any foreign least one country other than the Uni atent or inventor's certificate, or of any	ted States of America, list	ed below and h	have also id	lantifia
Prior Foreign Application		Country	Foreign Filing	Priority	Certified	Сору
Number(s)			Date (MM/DD/YYYY)	Not Claimed	Attach	ed?
			(11111)	Claimed	YES	NO
1			•		,	

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) below.

Application Number(s) Filing Date(MM/DD/YYYY) Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto 60/258885 01/02/2001 60/261165 01/16/2001

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, D.C. 20231



DECLARATION - Utility or Design Patent Application

					·
below and, insofa by the first parag	e benefit under 35 U.S.C. 120 of any United Sta ar as the subject matter of each of the claims of graph of 35 U.S.C. 112, I acknowledge the duty date of the prior application and the national or	this application is not to disclose informati	disclosed in the prior United S on which is material to paten	States or PCT International a	application in the manner provide
	rent Application or PCT Parent	Parent Fi	ling Date	Parent Pat	ent Number
	Number	(MM/DE		(if app	licable)
	09/985257	11/02	/2001		
Additional	U.S. or PCT International application numbers a	re listed on a supplem	ental priority data sheet PTO/	SB/02B attached hereto.	
As a named inv	rentor, I hereby appoint the following regis s and amendments therein, to receive the	tered practitioner(s) patent, and to trans	with full power of substitu	tion and revocation, to pr tent and Trademark Offic	rosecute this application, to be connected therewith:
Custome	r Number 26652		Place Customer Number Bar Code Label here		
OR					
Registere	ed practitioner(s) name/registration number listed	d below			
Name		Registration Number	·	Name	
CANAVAN,	Robert T.	37592	CONOVER, Miche	CONOVER, Michele L.	
DELACRUZ,	Cedric G.	36498	DWORETSKY, Sar	DWORETSKY, Samuel H.	
ISAACSON,	Thomas M.	44166	LEE, Benjamin	LEE, Benjamin S.	
LEVY, Rob	ert B.	28234	MCGAHAN, Susar	MCGAHAN, Susan E.	
MONKA, Gary H.		35290	RESTAINO, Thomas A.		33444
Direct all pho	business in the Patent and Trademark Office of the inquiries to: Szwerc, Christen correspondence to: tomer Number or Bar Code Label	stine M. 908	- 221 - 8930 umber - 26652	or □ co	orrespondence address below
NAME	Samuel H. Dworetsky				
ADDRESS	AT&T CORP. P.O. Box 4110)			
CITY	Middletown	Si	ATE New Jerse	Y ZIP CODE	07748-4110
COUNTRY	United States of America			FAX	732-368-6932
these statements v	at all statements made herein of my own knowle vere made with the knowledge that willful false s atements may jeopardize the validity of the appl	tatements and the like	so made are punishable by fi	nation and belief are believed ne or imprisonment, or both,	to be true; and further that under 18 U.S.C. 1001 and that
Name of Sol	e or First Inventor	☐ A pe	etition has been filed	for this unsigned inv	entor
Nan	ne Mathilde Benveniste				
Signatu	re			Date	
Citizensh	United States				
Address (line					
Address (line	<u></u>				<u></u>
Address (line	-		7,04.1		
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Zip Cod	<u> </u>				
Additional	Inventors are being named on the sepe	rately numbered sh	eets attached hereto		

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, DC 20231



DECLARATION	Supplemental	Priority Data	Sheet
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				•
Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certif Atta YES	Certified Copy Attached? YES NO	
		_ <u> </u>		
te(MM/	Filing Date(MM/	(DD/YYYY)		
01/30/2001				
02/09/2001				
02/26/2001				
02/28/2001				
03/05/2001				
iling Date Parent Patent Number DYYYY) (if applicable)				
\				

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, DC 20231



ASSIGNMENT AND AGREEMENT

For value received, each of the undersigned, Mathilde Benveniste of South Orange in the County of Essex and State of New Jersey, hereby sells, assigns and transfers to AT&T Corp., a corporation of the State of New York, having an office at 32 Avenue of the Americas, New York, New York 10013-2412, United States of America, and its successors, assignees and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to

Random Medium Access Methods With Backoff Adaptation To Traffic

described in an application for Letters Patent for the United States of America,

for which an application for a United States Patent was executed by each of the undersigned of even date herewith or

for which an application for a United States Patent was filed on 01/02/2002 Application Number 10/032507 and that this application in part discloses and claims subject matter disclosed in our earlier filed pending application, Application No. 09/985257 filed 11/02/2001

 \boxtimes and based on our prior provisional applications for United States Patents filed as Application Numbers 60/258,885; 60/261165; 60/264727; 60/267439; 60/270862; 60/271731 and 60/272786 filed 01/02/2001; 01/16/2001; 01/30/2001; 02/09/2001; 02/26/2001; 02/28/2001 and 03/05/2001, respectively,

and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and the undersigned also concurrently hereby sell, assign and transfer to AT&T Corp. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

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The undersigned agree that, when requested, the undersigned shall, without charge to AT&T Corp. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Mathilde Benveni	ste
Date:	
United States of America)
State of) ss.:
County of)
On this day of Benveniste, to me known to be the individual dinstrument, and acknowledged execution of the same	before me personally came Mathilde escribed in and who executed the foregoing.
	Notary Public
AT&T CORP.	
P.O. Box 4110	

Middletown, New Jersey 07748-4110

Sawerc, Christine M - LGA

From:

Szwerc, Christine M - LGA

Sent:

Monday, March 18, 2002 4:53 PM

To:

Calderbank, Robert - ALRSC; Frost, Thomas F (Tom) - ALIPN

Cc:

Szwerc, Christine M - LGA; Dworetsky, Samuel H - LGA

Subject: Benveniste Patent Matters

Dear Rob and Tom:

I have numerous patent matters that need the cooperation of Mathilde Benveniste (signatures, application reviews, provisional conversion discussions). I inherited these cases from Al and Bob. I understand that she has been FMPed, but many of these requests were asked of her prior to notice of the FMP. (Her response to our staff was she was too busy to sign papers.) I've left multiple messages on her work vmail, home vmail, and her work e-mail. There is no indication from her messages that she is out of the country. I've had outside counsel try to reach her directly with no luck. I've even personally gone to her FP office.

I'm at a loss beside showing up on her doorstep. These cases seem to be important - related to her work with the 802.11 stnd, so I hate to just abandon them b/c she is not cooperating, but I am going to be forced to if she won't help. I can file an uncooperative inventor dec in a few of the cases, but others really need her help to be written or reviewed.

Do you have any pull with her, or can you suggest anything that I might try?

Thanks, Chris

Christine M. Szwerc

≝werc.Christine M - LGA



Robert Calderbank on behalf of Calderbank, Robert - ALRSC From:

Sent:

Monday, March 18, 2002 5:14 PM

To:

Szwerc, Christine M - LGA

Cc:

Thompson, Sandra (Sandy) - HRBOU

Subject: Re: Benveniste Patent Matters

Chris:

Mathilde appears to be following a strategy of non-cooperation. I appreciate your efforts and your track record with her mirrors my own in getting her to schedule an exit interview.

Rob

At 04:52 PM 3/18/02 -0500, you wrote:

Dear Rob and Tom:

I have numerous patent matters that need the cooperation of Mathilde Benveniste (signatures, application reviews, provisional conversion discussions). I inherited these cases from Al and Bob. I understand that she has been FMPed, but many of these requests were asked of her prior to notice of the FMP. (Her response to our staff was she was too busy to sign papers.) I've left multiple messages on her work vmail, home vmail, and her work e-mail. There is no indication from her messages that she is out of the country. I've had outside counsel try to reach her directly with no luck. I've even personally gone to her FP office.

I'm at a loss beside showing up on her doorstep. These cases seem to be important - related to her work with the 802.11 stnd, so I hate to just abandon them b/c she is not cooperating, but I am going to be forced to if she won't help. I can file an uncooperative inventor dec in a few of the cases, but others really need her help to be written or reviewed.

Do you have any pull with her, or can you suggest anything that I might try?

Thanks, Chris

Christine M. Szwerc